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[PUBLIC LAW 636—81ST CONG

[CHAPTER 518—2D SESSION]

[S. 3652]

AN ACT

to facilitate the settlement of the accounts of certain deceased civilian officers and employees of the Government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate the settlement of the accounts of deceased civilian officers and employees of the Federal Government and of the government of the District of Columbia (including wholly owned and mixed-ownership government corporations) all unpaid compensation due such an officer or employee at the time of his death shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

First, to the beneficiary or beneficiaries designated by the officer or employee in writing to receive such compensation filed with the Government agency in which the officer or employee was employed at the time of his death, and received by such agency prior to the officer's or employee's death;

Second, if there be no such beneficiary, to the widow or widower of such officer, or employee;

Third, if there be no beneficiary or surviving spouse, to the child or children of such officer or employee, and descendants of deceased children, by representation;

Fourth, if none of the above, to the parents of such officer or employee, or the survivor of them;

Fifth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased officer or employee, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased officer or employee.

SEC. 2. For the purposes of this Act the term "unpaid compensation" means the pay, salary, or allowances, or other compensation due on account of the services of the decedent for the Federal Government or the government of the District of Columbia. It shall include, but not be limited to, (1) all per diem in lieu of subsistence, mileage, and amounts due in reimbursement of travel expenses, including incidental and miscellaneous expenses in connection therewith for which reimbursement is due; (2) all allowances upon change of official station; (3) all quarters and cost-of-living allowances and overtime or premium pay; (4) amounts due for payment of cash awards for employees' suggestions; (5) amounts due as refund of salary deductions for United States Savings bonds; (6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in service until the expiration of the period of such annual or vacation leave; (7) the

amounts of all checks drawn in payment of such compensation which were not delivered by the Government to the officer or employee during his lifetime or of any unnegotiated checks returned to the Government because of the death of the officer or employee.

SEC. 3. (a) Subject to such rules and regulations as may be prescribed by the Comptroller General of the United States, the employing agency shall cause the unpaid compensation to be paid to the beneficiaries, if any, designated by the officer or employee under section 1 of this Act, or, if none, to the widow or widower of such officer or employee.

(b) Accounts not payable under section 3 (a) (with the exception of accounts of employees of the District of Columbia which shall be paid by the District of Columbia, and accounts of employees wholly owned and mixed-ownership Government corporations which may be paid by such corporations) shall be payable on settlement of the General Accounting Office, except as the Comptroller General may by regulation otherwise authorize or direct.

SEC. 4. This Act shall not apply to any benefits, refunds, or interests payable under the Retirement Act applicable to the decedent's service or to amounts the disposition of which is otherwise expressly prescribed by Federal law.

SEC. 5. Officers and employees affected shall be notified by the employing agency of the provisions of this Act relative to the disposition of such compensation in the event no beneficiary is designated by them, and of their right to designate a beneficiary or beneficiaries in accordance with its terms if they desire a different disposition to be made thereof. Designations so made may be changed or revoked at any time under such rules and regulations as may be prescribed by the Comptroller General.

SEC. 6. This Act shall be effective one hundred and twenty days from the date of its enactment as of which time section 2 of the Act of December 21, 1944 (58 Stat. 845), is repealed.

SEC. 7. This Act shall not apply to the accounts of officers and employees of the Panama Canal and the Panama Railroad on the Isthmus of Panama, or to the accounts of officers and employees of the Federal land banks, Federal intermediate credit banks, production credit corporations, or the regional banks for cooperatives.

Approved August 3, 1950.

58 Stat 845 Sec 2

from and by to accrued annual leave (1945)

[PUBLIC LAW 547—81ST CONGRESS]

[CHAPTER 240—2D SESSION]

[H. R. 7866]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide an order of precedence for lump sum death payments, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 (e) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

“(e) In any case in which—

“(1) an officer or employee to whom this Act applies shall die before having rendered five years of civilian service computed as prescribed in section 5, or after having rendered five years of civilian service but without a survivor or survivors entitled to annuity benefits provided by subsection (c); or

“(2) the right of all persons entitled to annuity under subsection (c) based on the service of such officer or employee shall terminate before a valid claim therefor shall have been established, the total amount credited to the individual account of such officer or employee with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of death of such officer or employee, shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date title to the payment arises, in the following order of precedence, and such payment shall be a bar to recovery by any other person:

“First, to the beneficiary or beneficiaries as the officer or employee may have designated by a writing received in the Civil Service Commission prior to death;

“Second, if there be no such beneficiary, to the widow or widower of such officer or employee;

“Third, if none of the above, to the child or children of such officer or employee and descendants of deceased children by representation;

“Fourth, if none of the above, to the parents of such officer or employee or the survivor of them;

“Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such officer or employee;

“Sixth, if none of the above, to other next of kin of such officer or employee as may be determined by the Civil Service Commission to be entitled under the laws of domicile of such officer or employee at the time of his death.

“Determination as to widow or child shall be made by the Civil Service Commission without regard to the definition of these terms stated in subsection (d) of this section.”

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SEC. 2. All claims received in the Civil Service Commission after the effective date of this amendment shall be paid in accordance with the order of precedence stated herein.

SEC. 3. Section 12 (k) of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby amended to read as follows:

"(k) Each employee or former employee to whom this Act applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries for the purposes of this Act. Except where an application for benefits based on the death of the designator has been received in the Civil Service Commission not later than three months following the effective date of this amendment, all designations of beneficiary received in the Civil Service Commission more than one month before such effective date shall be null and void."

SEC. 4. This Act shall take effect on the first day of the fourth month following its date of approval.

Approved June 14, 1950.